

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SUPERIOR PERFORMERS, INC. d/b/a
NATIONAL AGENTS ALLIANCE,

Plaintiff/Counterclaim-
Defendant,

v.

SHAWN L. MEAIKE *et al.*,

Defendants/Counterclaim-
Plaintiffs,

v.

ANDY ALBRIGHT *et al.*,

Counterclaim-Defendants.

Civil Action No. 1:13-CV-1149

SUPERIOR PERFORMERS, INC. d/b/a
NATIONAL AGENTS ALLIANCE,

Plaintiff/Counterclaim-
Defendant,

v.

JERROD EWING *et al.*

Defendants/Counterclaim-
Plaintiffs,

v.

ANDY ALBRIGHT *et al.*,

Counterclaim-Defendants.

Civil Action No. 1:14-CV-00232

SUPERIOR PERFORMERS, INC. d/b/a
NATIONAL AGENTS ALLIANCE,

Plaintiff/Counterclaim-Defendant

v.

FAMILY FIRST LIFE, LLC and SHAWN
MEAIKE,

Defendants/Counterclaim-Plaintiffs.

Civil Action No. 1:14-CV-283

SUPERIOR PERFORMERS, INC. d/b/a
NATIONAL AGENTS ALLIANCE,

Plaintiff,

v.

JORDAN SOPER AND JCS FINANCIAL,
LLC,

Defendants.

Civil Action No. 1:16-CV-01113

SUPERIOR PERFORMERS, INC. d/b/a
NATIONAL AGENTS ALLIANCE,

Plaintiff,

v.

BRITTNEY BENSON (a/k/a BRITTNEY
BENSON MCCLAIN), NICOLE M.
BOSSARD, JEREMY WALLER, and
MICHAEL B. ABERNATHY,

Defendants.

Civil Action No.: 1:16-cv-01040

JOINT NOTICE OF SETTLEMENT IN PRINCIPLE

Pursuant to Local Rule 83.3, the undersigned counsel notify the Court of the agreement in principle of the parties to settle the following civil actions currently pending in this Court:¹

- *Superior Performers, Inc. d/b/a National Agents Alliance v. Meaike et al.*, Case number 1:13-cv-1149-JAB-JEP.
- *Superior Performers, Inc. d/b/a National Agents Alliance v. Ewing et al.*, Case number 1:14-cv-232-JAB-JEP.
- *Superior Performers, Inc. d/b/a National Agents Alliance v. Family First Life, LLC et al.*, Case number 1:14-cv-283-JAB-JEP.
- *Superior Performers, Inc. d/b/a National Agents Alliance v. Soper*, Case number 1:16-cv-1113-TDS-JLW.
- *Superior Performers, Inc. d/b/a National Agents Alliance v. Benson et al.*, Case number 1:16-cv-1040-LCB-JEP.

The parties expect to be able to complete the settlement and file stipulations of dismissal in these matters on or before Friday, November 18, 2016. The process of

¹ Pursuant to the requirements of Local Rule 83.3, Attorney Daniel Smith also placed calls to the case managers for Judge Beaty and Magistrate Judge Peake to alert them to the pending settlement and that this filing was forthcoming. Given the number of litigation matters involved, it was believed that a filing was the clearest way to communicate the pending settlement with complete accuracy.

finalizing the settlement is complicated by the number of Defendants and Counterclaim-Defendants in the *Meaike* and *Ewing* matters.

Respectfully submitted, this the 21st day of October, 2016.

/s/ Daniel F. E. Smith

Robert J. King III

NC State Bar No.: 15946

rking@brookspierce.com

William P. H. Cary

NC State Bar No.: 7651

wcary@brookspierce.com

Daniel F. E. Smith

NC State Bar No.: 41601

dsmith@brookspierce.com

**BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, L.L.P.**

Post Office Box 26000

Greensboro, N. C. 27420

Telephone: 336-373-8850

Counsel for Plaintiff

Superior Performers, Inc.

*d/b/a National Agents Alliance and
Counterclaim-Defendants*

/s/ Matthew I. Goforth (by DFES w/
permission)

Jeffrey B. Kuykendal

NC State Bar No. 37693

jeffrey.kuykendal@mgclaw.com

**MCANGUS, GOUDELOCK &
COURIE, PLLC**

P.O. Box 30307

Charlotte, NC 28230

Telephone: 704.405.4575

*Counsel for All Defendants and Counterclaim-
Plaintiffs*

Matthew I. Goforth

mgoforth@ghattorney.com

GOFORTH HALE LLC

2700 Highway 280 South, Suite 320W

Birmingham, AL 35223

Telephone: (205) 790-6555

*Counsel for All Defendants and Counterclaim-
Plaintiffs*

J. Brannon Maner

bmaner@manerlawfirm.com

MANER LAW FIRM, LLC

2700 Highway 280 South, Suite 320W

Birmingham, AL 35223

Telephone: (205) 532-9572

*Counsel for All Defendants and Counterclaim-
Plaintiffs, except in 1:16-CV-01113 (Soper)
and 1:16-cv-01040 (Benson)*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he electronically filed the foregoing document with the Clerk of Court using the CM/ECF system.

This the 21st day of October, 2016.

/s/ Daniel F. E. Smith

Daniel F. E. Smith